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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/573,860

03/28/2006

Charles Cornelus Van Dongen

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7037

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EXAMINER

LAO, LUN S

ART UNIT

PAPER NUMBER

2615

MAIL DATE

DELIVERY MODE

10/03/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/573,860	Applicant(s) VAN DONGEN ET AL.	
	Examiner LUN-SEE LAO	Art Unit 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>03-28-2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Introduction

1. This action is response to the application 10/573,860 filed on 03-28-2006. Claims 1-2 are pending.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the an electrostatic loudspeaker caused by front to back cancellation effects, utilising a resonant circuit and filter in the primary circuit of the electrostatic loudspeaker transformer to boost the output of the loudspeaker in the frequency band in which cancellation occurs must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an

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application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claim 2 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 2 recited "a method of limiting the peak voltage between the stators of an electrostatic loudspeaker incorporating the resonant circuit and filter of Claim 1, by utilising a metal oxide varistor or other non-linear device connected between the stators to damp the resonant circuit and thereby compress the voltage waveform when conduction through the metal oxide varistor or other non-linear device occurs.

However, the specification does not clearly disclose the "utilising a metal oxide varistor or other non-linear device connected between the stators to damp the resonant circuit and thereby compress the voltage waveform when conduction through the metal oxide

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varistor or other non-linear device occurs" will be performed. It is not supported in the specification nor in any figures.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Peters (US PAT. 4,461,931).

Consider claim 1, Peters teaches method of compensating for a reduction in sound pressure level of an electrostatic loudspeaker caused by front to back cancellation effects, utilising a resonant circuit (see fig.3a) and filter in the primary circuit of the electrostatic loudspeaker transformer (6) to boost the output of the loudspeaker (3) in the frequency band in which cancellation occurs (see col. 3 line 18-col. 4 line 54).

7. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Driver (US PAT. 5,392,358).

Consider claims 1-2, Driver teaches a method of compensating for a reduction in sound pressure level of an electrostatic loudspeaker caused by front to back cancellation effects (see figs 1 and 6), utilising a resonant circuit (see fig.6) and filter in the primary circuit of the electrostatic loudspeaker transformer (see fig. 6 (T1)) to boost the output of the loudspeaker(see fig. 1(12)) in the frequency band in which cancellation

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occurs (see col. 5 line 10-19 and col.9 line 8-col 10 line 28); and a method of limiting the peak voltage between the stators of an electrostatic loudspeaker (see fig.1) incorporating the resonant circuit (see fig.6) and filter by utilising a metal oxide varistor(reads on C1 and C2 are capacitors are ceramic and see col. 8 line 1-30) or other non-linear device connected between the stators(se ifg.1) to damp the resonant circuit (see fig. 6) and thereby compress the voltage waveform when conduction through the metal oxide varistor or other non-linear device occurs(see col. 5 line 10-19 and col.9 line 8-col 10 line 28).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Peters (US PAT. 4,461,931) in view of Norris et al. (US PAT. 6,175,636).

Consider claim 2, Peters does not explicitly teach a method of limiting the peak voltage between the stators of an electrostatic loudspeaker incorporating the resonant circuit and filter by utilising a metal oxide varistor or other non-linear device connected between the stators to damp the resonant circuit and thereby compress the voltage

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waveform when conduction through the metal oxide varistor or other non-linear device occurs.

However, Norris teaches a method of limiting the peak voltage between the stators of an electrostatic loudspeaker incorporating the resonant circuit (see fig.3) and filter by utilising a metal oxide varistor (metalized Mylar 65) or other non-linear device connected between the stators(57) to damp the resonant circuit (see fig. 3) and thereby compress the voltage waveform when conduction through the metal oxide varistor or other non-linear device occurs (see col. 5 line 63-col. 6 line 67).

Therefore, it would have obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Norris into Peters to provide improved electroacoustical transducing.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bank et al. (US PAT. 6,628,791) is cited to show other related the design of electrostatic loudspeakers.

11. Any response to this action should be mailed to:

Mail Stop ____ (explanation, e.g., Amendment or After-final, etc.)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Facsimile responses should be faxed to:
(571) 273-8300

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Hand-delivered responses should be brought to:

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lao,Lun-See whose telephone number is (571) 272-7501. The examiner can normally be reached on Monday-Friday from 8:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin, can be reached on (571) 272-7848.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 whose telephone number is (571) 272-2600.

Lao,Lun-See
/LUN-SEE LAO/
Examiner, Art Unit 2615
Patent Examiner
US Patent and Trademark Office
Knox
571-272-7501
Date 09-29-2008

/Vivian Chin/
Supervisory Patent Examiner, Art Unit 2615